

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Civil Revision Petition No.2546 of 2019

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the petitioner, aggrieved by the docket order, dated 20.09.2019, passed in I.A.No.326 of 2019 in L.A.O.P.No.20 of 2012, by the Senior Civil Judge, Manthani, whereby, the out of order petition filed by the petitioner herein under Section 57 of the Civil Rules of Practice seeking a direction to the respondents herein to issue crossed cheque for Rs.59,35,286/- awarded to him towards compensation, was dismissed.

2. Heard Sri V.V.Ramana Rao, learned counsel for the petitioner, the learned Government Pleader for Arbitration appearing for respondent No.1, Sri J.Sreenivasa Rao, learned Standing Counsel for Singareni Collieries Company Limited, appearing for respondent No.2 and perused the record.

3. The impugned docket order, dated 20.09.2019, reads as follows:

“No urgency noticed in the petition filed by the petitioner. Hence petition is dismissed as medical reports are appears to be not reliable. Office is directed to put up the cheque petition in ordinary course as status quo is pending.”

4. It has been contended on behalf of the revision petitioner that the *status quo* referred to in the impugned docket order was not subsisting as on the date of passing of the impugned docket order, i.e., 20.09.2019. Even then, the Court below passed the impugned order. The learned Senior Civil Judge, Manthani, had not clearly stated the reasons for dismissal of the subject interlocutory application. The learned counsel for the revision petitioner also brought to the notice of this Court that though the out of order petition was dismissed on 20.09.2019, the cheque petition has not been numbered yet.

5. Under these circumstances, the impugned docket order, dated 20.09.2019, passed in I.A.No.326 of 2019 in L.A.O.P.No.20 of 2012, by the Senior Civil Judge, Manthani, is set aside. The Court below is directed to pass orders in I.A.No.326 of 2019 afresh, assigning reasons clearly.

6. The Civil Revision Petition is ordered accordingly. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Civil Revision Petition, shall stand closed.

Dr. SHAMEEM AKTHER, J

04th December, 2019
Bvv